

REPORT ON MENTAL DEFICIENCY IN NEW ZEALAND.

RÉSUMÉ.

By the courtesy of the New Zealand High Commissioner's Offices we are able to give some particulars of the Report of the Committee appointed by the Minister of Health to make Inquiry into Mental Defectives and Sexual Offenders in New Zealand, which was published at Wellington by the Government Printing House.

In Section 1 the *Increase of mental deficiency* is considered.

For a considerable time there has been a growing feeling of anxiety among the public owing to the number of mental defectives becoming a charge upon the State, and also the alarming increase in their numbers through the uncontrolled fecundity of this class. Furthermore, owing to the frequency of sexual offences (many of a most revolting character), there was a strong demand that some action should be taken to prevent further acts of this nature; it being suggested that the law should be altered to make it possible for surgical operations to be performed upon these offenders.

The question of feeble-mindedness as a problem of heredity was gone into with reference to the work of the American War Department, the findings of Lothrop Stoddart, Dr. Davenport, as well as Dugdale's study of the Jukes Family, and Goddard's studies of the Kallikaks; on page 9 a series of New Zealand cases is given.

In Section 4, p.11, the *methods of dealing with the problem* are set out. First, identification and registration of all feeble-minded children. Secondly, proper educational care and training of feeble-minded children. Thirdly, continuous oversight and supervision, and prevention of procreation. But, further, the general education and occupational care of all children of the State is recommended as bringing each individual to his highest development.

The figures are avowedly incomplete, but a recent survey of the children attending the primary schools in a typical area disclosed the fact that out of 16,499, 950 pupils constituting 5.7 per cent. of the total school enrolment, are retarded 2 years or more. Of the total number on the School registers 1.6 per cent. are retarded 3 years and more. (These naturally do not include the quota of Epileptics and very low grade cases known to exist outside the school population.)

Page 13 gives a table showing Ages in different standards (figures which might usefully be obtained over here.)

The works of Drs. Davenport, Goddard, Burt and Tredgold are freely quoted.

Section 7 epitomises the Clauses of the 1914 *Education Act* regarding Defective and Afflicted Children.

‘It shall be the duty of the parent of any . . . feeble-minded or epileptic child to provide efficient and suitable education for such child.’

“If the parent of such child fails to provide such education for such child, or is deemed by the Minister to be unable to provide such education, the Minister may direct that such child be sent to such special school or other institution for the education of the feeble-minded or epileptic children as he thinks fit.”

This is followed by a description of some of the Institutions in existence in New Zealand.

Section 8. Several witnesses before the Committee pointed out the need for the establishment of special Courts for children and juveniles. The Committee recommended that such provision be made, and also that clinics be established providing for the physical and psychological examination of all children coming under the jurisdiction of these Courts. The fuller knowledge thus acquired would be extremely valuable to the authorities subsequently dealing with the children.

Section 9, proposes a *Eugenic Board*. “It seems to the Committee that the Dominion has now come to the parting of the ways in this matter, and unless the multiplication of the feeble-minded is to be allowed to go on in an ever-increasing ratio, with consequences dreadful to contemplate, the problem must be dealt with on broader lines, and in a more comprehensive fashion.” A psychiatrist of wide experience is suggested as a suitable head of such a Board.

In Section 10, the question of *Sterilisation* is considered.

Reviewing the present state of legislation in the United States and Dr. H. H. Laughlin's book, the case against sterilization is put forward as the opinion of the Central Association for Mental Welfare of Great Britain. The other side of the question follows then:

“In the first place, it is evident that, as far as the United States is concerned, the extension of sterilization of the mentally defective has received a great set-back by reason of the declaration of the Supreme Court of the United States that the laws in certain States permitting sterilization are unconstitutional. This ruling, of course, does not apply to New Zealand. Further, opponents of sterilization ask to be shown its good results, but obviously the results cannot emerge in one generation or in a comparatively short space of time. . . . The assertion that ‘sterilization at the present time is not a practical proposition’ is difficult to understand. It is certainly practicable, and is as likely to be favoured as opposed by public opinion, especially that section of the public that understands the difference between simple sterilization and desexualization. As regards the suggestion that sterilization may lead to new foci of venereal disease, it must be borne in mind that the unsterilized feeble-minded are already prone to sexual promiscuity, and there is no evidence that sterilization would increase this tendency. The opponents of sterilization offer as an alternative only permanent segregation to prevent the transmission of mental defect. It is evident, however, that the cost of the segregation of all mental defectives capable of reproducing other mental defectives would be exceedingly heavy. The Committee advocates powers of segregation and of sterilization, these powers to be placed in the hands of the Eugenic Board, under proper safeguards and with the right of appeal. Sterilization in suitable cases is not a high price to pay for liberty. There are in our mental hospitals to-day men and women

who suffer from recurrent insanity, who are admitted to the hospitals from time to time and discharged when they are better, and in the intervals between their admissions they cohabit with their wives or husbands, as the case may be, and bring more defective children into the world. If discretionary power were given to the Board as suggested, it should, and no doubt would, be exercised cautiously and tentatively.

Sterilization gives the patient liberty to do useful work in the community, is less drastic than segregation for life, and on the whole a much slighter interference with the rights of the individual, which are surely subordinate in such cases to the rights of the State.

There are, of course, numbers of mental defectives who can never be allowed their liberty, and in the case of these the question of sterilization need not be considered. There are many cases of mentally defective girls, liberated from institutions in New Zealand for the purpose of engaging in domestic service or other work, returning afterwards the mothers of illegitimate children, probably also mentally defective. Unless such are to be maintained for years as wards of the State in institutions, should they ever again be allowed their liberty unless they undergo the operation of sterilization?

This is the question: Can the propagation of mental defect by mental defectives and the debasing of the race thereby be greatly checked if not completely prevented? The answer is assuredly, Yes, by segregation and by sterilization. . . .

The Committee recommends that the Eugenic Board should be given the power in suitable cases to make sterilization a condition of release from any of the institutions under the charge of the Department of Mental Hospitals or removal of their names from the register on probation, but that in no case should the operation be performed without the consent of parents or guardians of the persons concerned.

The Committee consider that the persons so operated upon and liberated should be released on probation and kept under supervision for a reasonable period, and that they should be returned to institutional care if found to be leading an immoral life, or unable to support themselves, or for any other reason which the Eugenic Board may consider sufficient.

If the recommendation as to sterilization being authorized under the conditions specified is adopted, the Committee think it would be advisable to introduce some provision as in the American Acts, making it unlawful to perform operations whose object is the prevention of reproduction in cases not authorized by the Board unless the same shall be a medical necessity."

The case for segregation is put very strongly on page 21 showing as the experience of this investigation that in the main the afflicted are themselves much happier under the specialised care which can be given in Institutions than in their own homes.

"It is altogether wrong to suppose that there is any unkindness in taking the feeble-minded, who are unable to battle for themselves, under the care of the State and preventing them from bringing forth another generation of defectives. The real unkindness consists in allowing such unfortunates to be brought into the world."

Section 12 (*Expense*) opens with a very cogent argument in favour

of effective treatment to-day, whatever the cost, being the soundest economy.

"It will probably be objected that the plan for cutting off as far as possible further additions to the mental defectives of the Dominions will involve increased expenditure. This, unfortunately, is the case: but will it not be a much more costly process to allow the present unrestricted multiplication of these defectives to continue in an ever-increasing ratio? If they are allowed to multiply, their unfortunate offspring will have to be provided for in one way or another—some by means of charitable aid, some in our prisons, some in our mental hospitals. Take the case of the defective couple, case No. 4, page 9, themselves in the receipt of charitable aid, who have already produced eleven children, all of whom are being provided for by the State, while, as the couple are still living together and the woman is still of child-bearing age, it is quite possible that the total may yet be increased. This family, it is estimated will cost the State at least £16,000. Will anyone seriously contend that it would not have been sound economy if this couple had been taken in the first instance, placed in separate farm colonies where they would have lived fairly useful lives, and been prevented from casting such an excessive burden on the State? We might take each of the cases quoted in an earlier part of this report, and many others which we have not quoted, and ask the same question in regard to each. There is no doubt whatever that from the purely financial point of view it is very much to the interest of the community that this problem should be taken boldly in hand at once while the evil is within fairly manageable proportions, instead of allowing it to grow into an intolerable burden."

Naturally these considerations lead to a reference to immigration and the necessity for effective exclusion of individuals of poor stock. One paragraph is of great importance, viz.: "The Committee think that in addition to the precautions already taken, inquiry should be made as far as may be possible, into the family and personal history of assisted immigrants, particularly as to whether they disclose any cases of insanity, epilepsy or feeble-mindedness, crime or dependence on charitable aid."

Part III. deals with *Sexual Offenders*, and here the pathological aspect of the problem receives full and careful attention. Psychological examination is recommended and the application of the indeterminate sentence, while the possibility of sterilization and desexualization is referred to the Eugenic Board. It also recommended that the Prisons Board be advised by the Eugenic Board in regard to the release on probation or final discharge of all sexual offenders, or feeble-minded offenders coming under its jurisdiction.

"The Committee feel that the information at present available in regard to sterilization or desexualization of sexual offenders is quite inadequate to permit of a sound and final judgment as to the value of the procedure. They recommend, therefore, that the whole question be remitted for careful investigation to the Eugenic Board which it is proposed should be set up."

An Appendix gives the histories of past mistakes in the regulation of immigration and tables showing the number of sexual offenders and their past treatment.